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The Process of Engagement Before Marriage in Islam

In the Name of Allah, the Most Gracious, the Most Merciful!

Pursuing marriage in Islam:

A Muslim's decision to pursue marriage is one of the most important decisions that they will ever have to make in their lifetime; and as such, it should not be taken lightly. The decision of marriage should ultimately be made after making sincere prayer to Allah regarding the matter; prayer of istikhara (istikharah) to be specific. Istikhara means to seek goodness from Allah; thus, when one intends to perform an important task, it is strongly encouraged that they perform a sincere prayer of istikhara. In essence, the Muslim who performs a sincere prayer of istikhara is actually requesting Allah

Almighty, the Knower of the unseen to guide them in the endeavor if it will benefit them in this life and the next and to protect them from it if it will not. Furthermore, in addition to performing salatul-istikhara, one should also conduct a thorough investigation of their intended spouse, with the assistance of their immediate family members.

The evidence for performing a sincere prayer of istikhara prior to engaging in a task is the hadith of Bukhari wherein Jabir ibn 'Abd-Allah al-Salami reportedly said: "**The Messenger of Allah (P.B.U.H.) used to teach his companions to make istikhaarah in all things, just as he used to teach them Surahs of the Quran. He said: 'If any one of you is concerned about a decision he has to make, then let him pray two rakahs of non-obligatory prayer, then say: Allaahumma inni astakheeruka bi 'ilmika wa astaqdiruka bi qudratika wa as'aluka min fadlika, fa innaka taqdiru wa laa aqdir, wa ta'lamu wa laa a'lam, wa anta 'allaam al-ghuyoob. Allaahumma fa in kunta ta'lamu haadha'l-amra (then the matter should be specifically mentioned) khayran li fi 'aajil amri wa aajilihi (or: fi deeni wa ma'aashi wa 'aaqibati amri) faqdurhu li wa yassirhu li thumma baarik li fihi. Allaahumma wa in kunta ta'lamu annahu sharrun li fi deeni wa ma'aashi wa 'aaqibati amri (or: fi 'aajili amri wa aajilihi) fasrifni 'anhu [wasrafhu 'anni] waqdur li al-khayr haythu kaana**

thumma radini bihi (O Allaah, I seek Your guidance [in making a choice] by virtue of Your knowledge, and I seek ability by virtue of Your power, and I ask You of Your great bounty. You have power, I have none. And You know, I know not. You are the Knower of hidden things. O Allah, if in Your knowledge, this matter (then it should be mentioned by name) is good for me both in this world and in the Hereafter (or: in my religion, my livelihood and my affairs), then ordain it for me, make it easy for me, and bless it for me. And if in Your knowledge it is bad for me and for my religion, my livelihood and my affairs (or: for me both in this world and the next), then turn me away from it, [and turn it away from me], and ordain for me the good wherever it may be and make me pleased with it.'"

Lastly, it is important to note that after one has performed a sincere prayer of istikhara, it is not necessary to repeat the prayer if it was in fact performed sincerely. One has to trust in Allah! If one does not obtain what they desired after performing a sincere prayer of istikhara they should be content; because, Allah has chosen to protect them from the harmfulness in what they desired. Therefore, even as the matter pertains to marriage, if one's intended spouse decides not to proceed with the marriage, one should not be disheartened; because, Allah has chosen to protect them from possible turmoil

that could stem from said union with the intended spouse in question.

The process of engagement in Islam resulting from a consensual ijab (proposal) and qabul (acceptance):

After one has performed a sincere prayer of istikhara regarding their decision to pursue marriage, if the individual is a male, he should proceed by contacting the wale (Muslim male guardian) of the female (Muslim or chaste Jew or Christian) he desires to marry; namely, her father, brother, grandfather; or other available male member from the father's side. This fact is evident from the hadith of Abu Dawud wherein Abu Musa (RA) reportedly said: "**The Prophet Muhammad (P.B.U.H.) said, 'There is no marriage without a guardian**.'" Furthermore, in addition to Muslim females, a Muslim man is also permitted to marry chaste women from among the Jews and Christians (People of the Book). This fact is evident from Surah Al-Ma'idah (5:5) of the Quran which reads: "**This day are (all) things good and pure made lawful unto you. The food of the People of the Book is lawful unto you and yours is lawful unto them. (Lawful unto you in marriage) are (not only) chaste women who are believers, but chaste women among the People of the Book (Jews and Christians), revealed before your time,- when ye give them their due dowers, and desire chastity, not lewdness, nor secret intrigues if any**

one rejects faith, fruitless is his work, and in the Hereafter he will be in the ranks of those who have lost (all spiritual good)."

On the contrary, a Muslim woman in Islam is only permitted to marry a Muslim man. This fact is evident from Surah Al-Baqarah (2:221) of the Quran which reads: **"Do not marry unbelieving women (idolaters), until they believe. A slave woman who believes is better than an unbelieving woman, even though she allures you. Nor marry (your girls) to unbelievers until they believe. A man slave who believes is better than an unbeliever, even though he allures you. Unbelievers do (but) beckon you to the Fire. But Allah beckons by His Grace to the Garden (of bliss) and forgiveness and makes His Signs clear to mankind; That they may celebrate His praise."** It is also important to note that the reason why a Muslim man can marry a Jew or Christian woman is because, in Islam, Christianity, and Judaism, the man is acknowledged as the authoritative figure in the marriage. The evidence from the Quran proving that the husband has more authority than his wife is found in Surah al-Nisa (4:34) which reads: **"Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means. Therefore the righteous women are devoutly obedient, and guard**

in (the husband's) absence what Allah would have them guard. As to those women on whose part ye fear disloyalty and ill-conduct, admonish them (first), (Next), refuse to share their beds, (And last) beat them (lightly); but if they return to obedience, seek not against them Means (of annoyance): For Allah is Most High, great (above you all)." Likewise, the evidence from the Bible which proves that the husband has more authority than his wife is found in Ephesians 5:22-23 which reads: "**Wives, submit to your own husbands, as to the Lord. For the husband is the head of the wife.....**" Lastly, in Bershit 3:16 (Genesis 3:16) it says: "**.... and you (the wife) shall be under your husband's power, and he shall have dominion over you.**" Thus, if a Muslim marries a Jew or Christian, he cannot force her to abandon her religious beliefs because the Quran clearly speaks against this in Surah Al-Baqarah (2:256) when it says: "**Let there be no compulsion in religion: Truth stands out clear from Error: whoever rejects evil and believes in Allah hath grasped the most trustworthy hand-hold, that never breaks. And Allah heareth and knoweth all things.**" However, Devarim 7:3 of the Torah (Deuteronomy 7:3) clearly says: "**Do not intermarry with them. Do not give your daughters to their sons or take their daughters for your sons;**" and the Bible in 2 Corinthians 6:14 says: "**Do not be unequally yoked with unbelievers. For what partnership has righteousness with lawlessness? Or what fellowship has light**

with darkness?" Furthermore, it is worth mentioning that the Bible does not specifically prohibit a Christian from marrying a non-Christian; however, the term "unequally yoked" pertains to having different beliefs regarding the worship of God. For example, a Muslim believes that God is "ahad;" totally unique and unlike any of his creation; in addition to rejecting the concept of original sin. However, Christians believe that Jesus (P.B.U.H.) died for the sins of mankind, and some even believe that he is actually God in the flesh. Therefore, for a Muslim woman to be equally yoked with a Christian man, she would have to renounce her Islamic beliefs which maintain that every person is accountable for their own sins and that Jesus (P.B.U.H.) was not crucified, which is evident from Surah Al-Nisa (4:157 - 158) of the Quran which reads: **"That they said (in boast), 'We killed Christ Jesus the son of Mary, the Apostle of Allah;' but they killed him not, nor crucified him, but so it was made to appear to them, and those who differ therein are full of doubts, with no (certain) knowledge, but only conjecture to follow, for of a surety they killed him not. Nay, Allah raised him up unto Himself; and Allah is Exalted in Power, Wise."** Lastly, and most importantly, Luke 19:27 of the Bible says: **"But those my enemies, which would not that I should reign over them, bring here, and slay them before me."** This verse is extremely dangerous; because, a Christian husband could be influenced to

harm or even kill his wife if he so how believed that she was not paying proper respect to Jesus (P.B.U.H.); i.e., denying his crucifixion or acknowledging him as God on Earth.

It is also important to note that in unfortunate circumstances such as those which plague many Muslims living in the West, wherein the female one desires to wed is actually a convert (revert to Islam), with none of her male relatives being a Muslim; in addition to the fact that there is no Islamic community established in their city; thus, the Muslim in this predicament will have to modify his approach. Ideally, one should look online to locate the nearest Islamic community and contact the resident Imam to see if a Muslima (female Muslim) from his community, particularly his wife, sister, or daughter, is willing to approach the sister whom you have a desire to marry on your behalf.

The reason why the Imam himself will not approach the sister you desire to marry is because since he is not affiliated with her wale and she is not a member of his community, it is also unlawful for him to approach her. Next, the wife, sister, etc. of the Imam will approach the woman of interest to first inquire if she is currently married or even interested in getting married. If she is eligible and willing to pursue marriage, then the wife, sister, etc. of the Imam will inform

her that you are the interested party. The wife, sister, etc. of the Imam will then inform him that both parties are interested and he can arrange it so that the two of you can have chaperoned meetings to see each other, converse, and discuss the terms of the marital contract and dowry; because at this point, both parties will be classified as engaged, and no other suitor may present his proposal for marriage.

If on the other hand it is a female who is interested in getting married, she should inform her parents. Her parents should then inquire as to whom she is interested in marrying. If there is no one in particular, her parents should proceed by selecting a qualified candidate on her behalf. If she is satisfied with her parents' choice, her father will approach the Muslim brother and present him with the offer of marriage to his daughter. If the Muslim brother accepts the proposal, then they will discuss the dowry and terms of the marriage contract and both parties will be classified as engaged, and no other suitor will be permitted to present his proposal for marriage.

If by chance, the female desiring to get married is denied the opportunity by her wale despite the fact that the suitor is a righteous Muslim or if she is a convert to Islam with no Muslim wale, then she should contact the resident Imam who will in turn serve as her wale and will inform the available Muslim

men of his community whom do not already have four wives to contact him if they are interested in getting married. The Imam will then inform the female of the candidate which he feels is ideal. If she is satisfied with his choice, then the two parties will proceed with the necessary arrangements. In the event that she is not satisfied with the Imam's choice as the ideal candidate, she will then select from the other candidates selected by the Imam. Moreover, in instances wherein there is no Islamic community in the Muslim female's city, then the female in question should pursue other options such as looking up the nearest masjid online and contacting the resident Imam of that community. He should then have his wife, sister, daughter, or other respected female from his community contact the sister to inform her about her rights beforehand and then inform her about possible candidates. However, under no circumstance should the female in question meet alone with the Imam or any of the possible Muslim candidates. The female in question should meet in the company of the Imam and his wife along with the ideal candidate in order to see each other, converse, and discuss the terms of the marriage and dowry.

It is also important to note that with regard to seeing each other, under no circumstances should the female expose her awrah to her male suitor prior to marriage. He is not permitted

to look at her legs, stomach, hair, etc. Furthermore, a suitor can determine whether the female has a body size to his liking simply by looking at her form in her clothing. For example, a suitor can tell by basically looking at a female who is fully clothed whether she is full figured or petite. She does not have to expose herself in order for him to make this determination. A suitor is however, permitted to see her face and hands. Likewise, the female has the right to look at her male suitor provided his awrah is fully covered. Lastly, any abnormalities concealed by the awrah of either the future bride or groom such as diseases, mental illness, dysfunctions such as impotence or hysterectomy, etc., must be revealed prior to marriage; because, these factors might be influential enough to sway the decision of either party from proceeding with the finalization of the actual marriage contract.

One of the customs which predated Islam that was prevalent among the Arabs which Prophet Mohammed (P.B.U.H.) actually allowed his Ummah (community of Muslims) to maintain was the practice of engagement wherein the family of one individual would visit the house of another and present the offer of marriage (proposal) on behalf of their son, daughter, niece, nephew, brother, sister, etc. This fact is evident from the hadith of Tirmidhi wherein the Prophet (P.B.U.H.) reportedly

said: "**When someone with whose religion and character you are satisfied, asks to marry your daughter, agree to his request. If you do not do so, there will be corruption and great evil on Earth.**" Furthermore, one may even make a subtle proposal to a recently widowed or divorced woman in her iddah period (three menstrual periods for divorced female and four months and ten days for a widow), by saying something like, "It would make a man very happy to have you as his wife after your are eligible for marriage." This fact is evident from Surah Baqarah (2:235) of the Quran which reads: "**You commit no sin by announcing your proposal to the women (make it known to her), or keeping it secret (not making your intention known to her). Allah knows that you desire them. But do not make a secret contract with them except in terms honorable, nor resolve on the tie of marriage till the term prescribed is fulfilled. And know that Allah Knows what is in your hearts, and take heed of Him; and know that Allah is Oft-forgiving, Most Forbearing.**" Furthermore, one should not propose to a female while knowing full well that another has publicly stressed his desire to marry her. This fact is evident from the hadith of Bukhari wherein Ibn 'Umar reportedly said: "**The Prophet (P.B.U.H.) decreed that one should not try to cancel a bargain already agreed upon between some other persons (by offering a bigger price). And a man should not ask for the hand of a girl who is already engaged to**

his Muslim brother, unless the first suitor gives her up, or allows him to ask for her hand."

Contrary to the cultural norms of her time, Khadijah bint Khuwaylid (RA) desired to marry Mohammed (P.B.U.H.), so she disclosed her intention to her friend Nafisa, the daughter of Maniya, who immediately visited Muhammad (P.B.U.H.) to inform him of Khadijah's (RA) desire to marry him. He agreed and requested his uncles to go to Khadijah's (RA) uncle, who was her wale, to present the proposal on his behalf. Prophet Muhammad's (P.B.U.H.) uncle, Hamzah, accompanied him to formally ask Khadijah's (RA) uncle for her hand in marriage, and his uncle, Abu Talib made the public announcement of the engagement.

It is also important to note that in Islam, the acceptance of a marriage proposal from a virgin is her silence, whereas, the acceptance of a woman who is not a virgin such as one who was previously married is her verbal statement of acceptance to her wale. The evidence for the above rulings is the hadith of Bukhari wherein Abu Huraira narrated: **"The Prophet (P.B.U.H.) said, 'A matron should not be given in marriage except after consulting her; and a virgin should not be given in marriage except after her permission.' The people asked, 'O Allah's Apostle (P.B.U.H.)! How can we know her permission?' He (P.B.U.H.) said, 'Her silence (indicates her permission).'"**

It is also worth mentioning that a revert to Islam who is not an actual virgin but has not engaged in premarital sex after converting has the same honor as a virgin. This fact is evident from surah Al-Anfal (8:38) of the Quran which reads: "**Say to the Unbelievers, if (now) they desist (from Unbelief), their past would be forgiven them....**" Also, the hadith of Ahmad narrated by Amr ibn al-'Aas reports: "**When Allah put the love of Islam into my heart, I came to the Prophet (P.B.U.H.) to pledge my allegiance to him. He stretched out his hand towards me, but I said, 'I will not pledge allegiance to you, O Messenger of Allah (P.B.U.H.), until you forgive me my previous sins.' The Messenger of Allah (P.B.U.H.) said to me, 'O 'Amr, do you not know that Islam wipes out whatever sins came before it.'**" Nevertheless, the female in question should give a verbal statement of acceptance to her wale; because, if she remains silent as in the case of a true virgin whose hymen is fully intact due to never having sexual intercourse, problems might arise between her and her husband if he realizes while consummating the marriage that she is not truly a virgin. The same applies for women who have been raped or molested. Their honor remains intact and they are classified as chaste like actual virgins although actual penetration may have occurred. This fact is evident from Surah Al-Nur (24:33) of the Quran which reads: "**.... And do not, in order to gain some of the**

fleeting pleasures of this worldly life, coerce your slave women into whoredom if they are desirous of marriage, and if anyone should coerce them, then, verily, after they have been compelled (to submit in their helplessness), Allah is Oft-Forgiving, a dispenser of grace (to them)." Furthermore, the hadith of Tirmidhi that was narrated by Wa'il ibn Hujr who reportedly said: "**There was an incident wherein a woman was raped. Later, when some people came by, she identified and accused the man of raping her. They seized him and brought him to Allah's messenger (P.B.U.H.) who then said to the woman, 'Go away, for Allah has forgiven you,' but of the man who had raped her, he said, 'stone him to death.'**" Lastly, it is also worth mentioning that a person is not permitted to inquire about specific details from a person's sexual past. A male suitor automatically knows if the female he desires to marry is a virgin (Bikr) due to her silence when accepting the proposal presented to her wale. However, if she verbally says "yes" while the suitor knows full well that she was never married, he does have the right to inquire about her chastity; i.e., specific details. Rather, her wale should verify whether she is knowledgeable about the proper procedure for a virgin to follow when accepting the proposal of her suitor. However, if she is aware of the proper procedure, she should save both of them further embarrassment by saying something to the effect of, "If you are seeking a TRUE VIRGIN

(Bikr), them I am not such a female." The suitor should take this term "TRUE VIRGIN" to mean that the females honor is intact but there are mitigating circumstances surrounding the matter which has classified her as not a true virgin (thayib).

In the event that an engaged couple decides not to proceed with the actual marriage, it is permissible for them to simply make duah for each other by asking Allah to reward them with better than what they lost and go their separate ways. However, even if and after a man and woman have agreed to marry, it is important to reiterate that they are still not permitted to freely interact with each other in an unsupervised manner. This fact is evident from the hadith of Ahmad wherein the Prophet (P.B.U.H.) reportedly said, "**Whoever believes in Allah and the Last Day, let him not have a private audience with a woman without her mahram**." Furthermore, even if chaperoned by the female's wale, the couple is prohibited from engaging in acts such as shaking hands, unnecessary gazing at one another, being alone together, etc.; because, the actual marriage has not been officially finalized in accordance with the sunnah of the Prophet (P.B.U.H.).

It is also worth mentioning that according to Shaykh Ibn Uthaymeen (al-Fataawa al-Jaami'ah li'l-Mar'ah al-Muslimah): "The engagement ring is a kind of ring, and there is nothing wrong

with rings in principle, unless it is accompanied by some belief or practice such as when an engaged man and woman writes their name on rings and then exchanges them believing that this ritual will create a stronger bond between them. In this case, using a ring is strictly haram; because it is an attachment to something for which is nonsensical and has no basis in Islam. Furthermore, it is not permissible for a male suitor to place an engagement ring on his fiancée's hand; because, she is not his wife (lawful to be touched by him) until after the marriage contract has been finalized."

Aqd al-nikah (The marriage contract in Islam):

Prior to the establishment of the marriage contract a couple is only classified as engaged; meaning, that it is impermissible for any other suitor to present the female in question with a proposal for marriage. However, it is not until after the actual marriage contract is completed that the engaged suitor can approach the engaged female in any manner he desires. As an engaged party, the female is still considered a stranger; as such, all the prohibitions regarding interaction which apply to any other female also applies to the engaged female. Furthermore, even if one of the engaged parties were to die, the other would not be permitted to inherit from the deceased party. It is not until the actual marriage contract is completed that

the rights and status of an actual husband and wife comes into effect.

The evidence for the marriage contract in Islam is the hadith of Bukhari that was narrated by 'Ursa who reportedly said: "**The Prophet (P.B.U.H.) wrote the (marriage contract) with Aisha while she was six years old and consummated his marriage with her while she was nine years old and she remained with him for nine years (i.e. till his death)**." Furthermore, based on the above mentioned hadith, it is important to reiterate that even though a couple is married, puberty must take place either resulting from menstruation, the presence of sexual discharge (maniyy/mathi), pubic hair, or age fifteen before the actual marriage can be consummated. This is why the above mentioned hadith specifically mentions that although the Prophet (P.B.U.H.) married Aisha (RA) when she was six years old, he did not consummate the marriage with her until she was age nine; i.e., after getting her menses. It is also worth mentioning that Aisha (RA) was the only true virgin (Bikr) that the Prophet married; which was the result of an instruction in a prophetic dream. This fact is evident from the hadith of Bukhari wherein Aisha (RA) narrated: "**The Messenger of Allah (P.B.U.H.) said, 'I saw shown you twice in a dream. A man was carrying you in a silk cloth and said, 'This is your wife.' He uncovered it and it was**

you. I said, 'If this is from Allah He will bring it about.'" Furthermore, as a general rule, a true virgin man should preferably marry another true virgin as their first wife for basic compatibility reasons; but it is not a requirement; because neither was the Prophet (P.B.U.H.) a virgin when he married Aisha (RA) nor was Khadijah (RA) a true virgin (Bikr) when she married the Prophet (P.B.U.H.) who was a virgin man that was twenty-five years younger than her.

The evidence for the permissibility to marry either a virgin or one who is classified as thayib due to being windowed or divorced is the hadith of Bukhari wherein Jabir Ibn Abdullah reportedly said: **"Once (when he was approximately seventeen years old), while on an expedition with the Messenger of Allah (P.B.U.H.), when they were close to the city of Medina, he (Jabir) sped on his mount. The Messenger of Allah (P.B.U.H.) asked him why he was in such a hurry to return home. Jabir replied, 'I am recently married!' The Messenger of Allah (P.B.U.H.) asked, 'to an older lady or a younger one?' (the Arabic could also read: 'to a widow or a virgin?'), to which he replied, 'a widow.' The Messenger of Allah (P.B.U.H.) said, 'but why didn't you marry a younger girl, so that you could play with her, and she could play with you, and you could make her laugh, and she could make you laugh?' He (Jabir) said, 'O Messenger of**

Allah (P.B.U.H.)! My father died a martyr at the Battle of Uhud, leaving behind daughters, so I did not wish to marry a young girl like them (my sisters), but rather an older one who could take care of them and look after them.' The Messenger of Allah (P.B.U.H.) replied, 'you have made the correct choice...."

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